



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

January 14, 2010

Honorable Rod Wright
David Gould, Treasurer ✓
Taxpayers for Rod Wright Legal Defense Fund

REDACTED

RE: **Advisory Letter**

FPPC No. 09/810; Senator Rod Wright; Taxpayers for Rod Wright Legal Defense Fund; and David Gould

Dear Senator Wright and Mr. Gould:

As you may know, the Enforcement Division of the Fair Political Practices Commission (the "FPPC") received a complaint against you. After review of the complaint, the Enforcement Division has decided to close its file on this matter without initiating an enforcement action. The basis for this decision follows.

The FPPC enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. The Act requires committees to file a statement of organization once the committee qualifies as a committee. (Section 84101.) Section 84102 requires certain information about the committee to be disclosed, such as the address of the committee, the type of committee, and bank account information. In addition to the requirements under Section 84102, when a legal defense fund is formed, Section 85304 requires a description of the specific legal dispute for which the legal defense fund was established.

It appears that you failed to provide the bank account information and failed to identify the specific legal dispute for which you established the Taxpayers for Rod Wright Legal Defense Fund, ID #1322646. On January 12, 2010, we contacted your treasurer, David Gould, concerning these deficiencies, and Mr. Gould immediately corrected the situation by providing a copy of an amendment filed with Secretary of State's office on December 21, 2009. We are therefore closing our file.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

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Nevertheless, although we have decided not to pursue an enforcement action in this matter, you are advised that your failure to comply with the provisions of the Act in the future could result in an enforcement action. In addition, the information in this case will be retained, and may be used against you, should an enforcement action become necessary, based on future conduct and/or newly discovered information.

Your cooperation in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated. If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

REDACTED

✓ Gary Winuk, Chief
Enforcement Division